

1 educated determination on the item.

2 Q. In your opinion, is there any substitute for actually  
3 physically seeing the strike itself as well, and being able to  
4 examine it with your hands?

5 A. I mean, that is the -- beyond the best case scenario is  
6 to actually look at it because there are so many variants that  
7 could be into play.

8 Q. Let me ask you now about your work in this case. How  
9 did you, the FBI, just generally, get involved in  
10 investigating the shooting incident in Nisur Square in  
11 September of 2007?

12 A. We were requested -- the evidence -- Washington Field  
13 Office -- Iraq is one of our areas of responsibility, and so  
14 if something happens there against the U.S. interest, a  
15 bombing of an embassy or whatever it happens to be, our field  
16 office is responsible for that area. So, New York has  
17 different areas, we have this area.

18 So, we were requested to go over there and process --  
19 we were initially told a small shooting scene, so we only sent  
20 two evidence people along with investigators to go over.

21 Q. This event occurred on September 16th, 2007, do you  
22 know that?

23 A. Right.

24 Q. Do you recall when the FBI first got involved?

25 A. We arrived in Baghdad early October -- in the first

1 days of October.

2 Q. Do you recall when the FBI was first contacted and  
3 asked to support this investigation?

4 A. I was told a few days prior to our departure that we  
5 were going. Prior to that I was actually out of the country,  
6 so I didn't have any advance knowledge of what was going on  
7 until I got back into the area and then was told that I would  
8 be going on this team.

9 Q. Is it fair to say that when the FBI gets assigned  
10 something this large that somebody with ERT with WFO or one of  
11 the other field offices is going to be in that initial group  
12 going out to investigate?

13 A. That is our hope that, on the evidence side of the  
14 house, is that we get in in the initial phases so we can  
15 evaluate and review the stuff that's going to be looked on  
16 either by us or by a follow-on team.

17 Q. To your knowledge was ERT, your unit, involved in the  
18 initial phase of the investigation for this particular  
19 shooting?

20 A. Yes, myself and Agent Sercer were part of the initial  
21 team that went over to Baghdad in October 2007.

22 Q. Do you have any knowledge as to whether any other  
23 federal law enforcement agent had done any investigation prior  
24 to the FBI's involvement?

25 A. I know that there was some work done by the State